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FILED

SEP 09 2022

DEPARTMENT OF REAL ESTATE
By B. Nicholas

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	
)	No. H-7156 SAC
CRYSTAL MARIE KANAWYER,)	
)	<u>ACCUSATION</u>
Respondent.)	

The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a Supervising Special Investigator of the State of California, for cause of Accusation against CRYSTAL MARIE KANAWYER ("Respondent"), is informed and alleges as follows:

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Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4, of the Business and Professions Code ("the Code") as a real estate salesperson.

CRIMINAL CONVICTION

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On or about May 20, 2021, in the Circuit Court of the State of Oregon, County of Clackamas, Case No. 20CR35631, Respondent was convicted of violating Oregon Revised Statutes Section 163.245 (custodial interference), a misdemeanor which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations ("the Regulations") to the qualifications, functions, or duties of a real estate licensee.

The facts alleged above in Paragraph 2 constitutes grounds under Sections 490 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of Respondent under Part 1 of Division 4 of the Code.

FAILURE TO DISCLOSE FILING OF INDICTMENT AND/OR CONVICTIONS

A diligent search was made of the records of the Department of Real Estate ("Department") relating to Respondent's Real Estate Salesperson License No. 02019585. As a result of said search, no record was discovered having been received from Respondent notifying the Department, in writing, of any conviction, or the bringing of any complaint, information, or indictment related to Paragraph 2, above.

The facts alleged above in Paragraphs 2 through 4 indicate Respondent's failure to comply with Sections 10186.2(a)(1)(A), 10186.2(a)(1)(B), and 10186.2(a)(2) (failure to report in writing to the Department of the bringing of a complaint, indictment, or information charging a felony and/or a conviction of any felony or misdemeanor against Respondent within 30 days) of the Code, and constitute cause under Section 10177(d) (willful disregard or violation of the Real Estate Law; Part 1 of Division 4 of the Code) for revocation of all licenses and license rights of Respondent under said Real Estate Law.

COST RECOVERY

The Department will seek to recover costs of the investigation and prosecution of this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
2 of this Accusation and that upon proof thereof, a decision be rendered revoking all licenses and
3 license rights of Respondent under the Real Estate Law, for the cost of investigation and
4 enforcement as permitted by law, and for such other and further relief as may be proper under
5 other provisions of law.

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7 TRICIA D. PARKHURST
8 Supervising Special Investigator

9 Dated at Sacramento, California, on
10 this 7th day of September, 2022.

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20 DISCOVERY DEMAND

21 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
22 Department hereby makes demand for discovery pursuant to the guidelines set forth in the
23 *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the
24 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
25 Administrative Hearings deems appropriate.